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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,292	05/04/2001	Takashi Miyasaki	35.C15340	9605

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EXAMINER	
COFFY, EMMANUEL	
ART UNIT	**PAPER NUMBER**
2157	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/848,292	MIYASAKI ET AL.	
	Examiner	Art Unit	
	Emmanuel Coffy	2157	

-- The MAILING DATE f this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 October 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) *5* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Amendment

1. This action is responsive to the amendment filed on October 12, 2004. Claims 1-14 represent a system for a "Status Information Sharing System And User Terminal Device For Sharing Status Information Of User Handling Plurality Of User Terminal Devices, And Server Device For Managing User Terminal Devices, As Well As Control Method Thereof And Storage Medium Storing Program For Method." Claims 1-4 and 6-12 were amended. Claim 5 is canceled. Claims 13-14 are newly added. Claims 1-14 are pending.

Response to Arguments

2. Applicant acknowledges the § 102 (e) rejection asserted in the First Office Action on the merit but made no arguments in substance rebutting said rejection. Rather, applicant's focus was directed to the amended claims. Applicant's articulation of the virtues of the amended claims has been considered. However, it is in large part a recitation of the claims' limitations as found in the claims section of the disclosed and is therefore moot in view of the new ground(s) of rejection.

The dependent claims stand rejected as articulated in the First Office Action and all objections not addressed in Applicant's response are herein reiterated.

Specification

3. The title of the invention is too long; it must be as short and as specific as possible. See CFR §1.72. A new title is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-4, and 5-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Gilhuly et al. (U.S. 6,701,378) in view of O'Brien (US 6,587,831)

Gilhuly teaches the invention substantially as claimed including a method and system for pushing information from a host system to a mobile data communication device upon sensing a triggering event. (See abstract.)

Claim 1:

As to claim 1(Currently Amended), it recites a status information sharing system for managing status information of users who operate user terminal devices, comprising:

a recognition unit that recognizes a presence or absence of the users at the user terminal devices; (See col. 6, lines 6-7; col. 10, lines 35-48.)

a search unit that searches schedule information of the registered users; and (See col. 5, lines 56-57; line 49 – calendar event is schedule information.)

a generation unit that generates updated status information in accordance with both the recognition of a presence or absence of the users and the searched schedule information; and (See col. 5, lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.)

an update unit that automatically updates present status information of the users based on the generated updated status information.

Gilhuly does not specifically address updating users based on the generated updated status information. However, O'Brien expressly teaches updating users based on the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating users based on the generated updated status information disclosed by O'Brien because such system would promote optimal schedule.

Claim 2:

As to claim 2 (Currently Amended), a system according to claim 1, wherein said search unit searches the schedule information of the users for the last and present schedule information.

Gilhuly does not specifically address search based on past and present schedule. However, O'Brien expressly discloses such limitation as shown in Fig 2A and teaches such limitations throughout. See col. 6, lines 24-30.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with searching last and present schedule disclosed by O'Brien because such system would promote optimal schedule.

Claim 3:

As to claim 3 (Currently Amended), a system according to claim 1, wherein said search unit searches the schedule information for next schedules.

Gilhuly does not specifically address search for next schedule. However, O'Brien expressly discloses such limitation as shown in Fig 2A and 2B and teaches such limitations throughout. See col. 6, lines 30-40 and col. 7, lines 11-16.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with searching last and present schedule disclosed by O'Brien because such system would promote optimal schedule.

Claim 4:

As to claim 4 (Currently Amended), a system according to claim 1, wherein said search unit searches the schedule information for past schedules.

Gilhuly does not specifically address search for past schedule. However, O'Brien expressly discloses such limitation at col. 7, lines 11-16.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with searching last and present schedule disclosed by O'Brien because such system would provide historical evidence of past schedule.

Claim 6:

As to claim 6 (Currently Amended), it recites a system according to claim 1, further comprising:

a count unit that counts the duration of a predetermined status if the presence or

absence of the user is said predetermined status, (See col. 6, line 11 –programmable timer can be used for that purpose.)

wherein said generation unit generates the updated status information based on the duration counted by said count unit. (See col. 5, lines 44-60.)

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly.

Claim 7:

As to claim 7 (Currently Amended), it recites a user terminal device that is capable of communicating with a server device managing schedules of registered users who operate the user terminal devices, comprising:

a connection unit that connects to at least a manipulation input device or an imaging device; (See col. 4, lines 61-67.)

an input unit that inputs information from the connected manipulation unit or imaging device; (See col. 10, lines 35-48.)

a generation unit that generates information representing a presence or absence of a user at the user terminal device based on the input information; (See col. 5, lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.)

a transmission unit that transmits the generated information representing the presence or absence of the user at the user terminal device to the server device; and (See col. 5, lines 55-60; See also col. 4, lines 22-29.)

a receiving unit that receives present status information of the user[[s]]

which is updated in accordance with both the transmitted information and the schedule information managed by the server. (See col. 5, lines 44-47; line 49 – calendar event is schedule information.)

Gilhuly does not specifically address updating users based on the generated updated status information. However, O'Brien expressly teaches updating users based on the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating users based on the generated updated status information disclosed by O'Brien because such system would promote optimal schedule.

Claim 8:

As to claim 8 (Currently Amended), it recites a server device that is capable of communicating with user tenninal devices, comprising:

a recognition unit that recognizes a presence or absence of users at the user terminal devices; (See col. 6, lines 6-7; col. 10, lines 35-48.)

a search unit that searches schedule information of registered users; (See col. 5, lines 56-57; line 49 – calendar event is schedule information.)

a generation unit that generates updated status information in accordance with both the presence or absence of the user and the searched schedule information; and (See col. 5, lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.)

an update unit that automatically updates the present status information of the users based on the generated updated status information.

Gilhuly does not specifically address updating users based on the generated updated status information. However, O'Brien expressly teaches updating users based on the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating users based on the generated updated status information disclosed by O'Brien because such system would promote optimal schedule.

Claim 9:

As to claim 9 (Currently Amended), it recites a control method for controlling a user terminal device[[s]] that is capable of communicating with a server device for managing

schedules of users who operate user terminal devices, comprising:

a connection step of connecting to at least a manipulation input device or an imaging device; (See col. 4, lines 61-67.)

an input step of inputting information from the connected manipulation unit or the imaging device; (See col. 10, lines 35-48.)

a generation step of generating information representing a presence or absence of a user at the user terminal device based on the input information; (See col. 5, lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.)

a transmission step of transmitting the generated information representing the presence or absence of the user at the user terminal device to the server device; and (See col. 5, lines 55-60; See also col. 4, lines 22-29.)

a receiving step of receiving present status information of the user[[s]] which is updated in accordance with both the transmitted information and schedule information managed by the server. (See col. 5, lines 44-47; line 49 – calendar event is schedule information.)

Gilhuly does not specifically address updating users based on the generated updated status information. However, O'Brien expressly teaches updating users based on the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating users based on the generated updated status information disclosed by O'Brien because such system would promote optimal schedule.

Claim 10:

As to claim 10 (Currently Amended), it recites a control method for controlling a server device that is capable of communicating with user terminal devices, comprising:

a recognition step of recognizing a presence or absence of users at the user terminal devices; (See col. 6, lines 6-7; col. 10, lines 35-48.)

a search step of searching [[a]] schedule information of registered users; (See col. 5, lines 56-57; line 49 – calendar event is schedule information.)

a generation step of generating updated status information in accordance with both the presence or absence of the users and the searched schedule information; and (See col. 5, lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.)

an update step of automatically updating present status information of the

users based on the generated updated status information.

Gilhuly does not specifically address updating users based on the generated updated status information. However, O'Brien expressly teaches updating users based on the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating users based on the generated updated status information disclosed by O'Brien because such system would promote optimal schedule.

Claim 11:

As to claim 11 (Currently Amended), it recites a storage medium storing a program for controlling a user terminal device[[s]] that is capable of communicating with a server device managing schedules of users who operate the user terminal devices, the program comprising:

a connection step of connecting to at least a manipulation input device or an imaging device; (See col. 4, lines 61-67.)

an input step of inputting information from the connected manipulation unit or imaging device; See col. 10, lines 35-48.)

a generation step of generating information representing a presence or absence of a user at the user terminal device based on the input information; See col. 5, lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.)

a transmission step of transmitting the generated information representing

the presence or absence of the user at the user terminal device to the server device; and (See col. 5, lines 55-60; See also col. 4, lines 22-29.)

a receiving step for receiving present status information of the user[[s]] which is updated in accordance with both the transmitted information and the schedule information managed by the server. (See col. 5, lines 44-47; line 49 – calendar event is schedule information.)

Gilhuly does not specifically address updating users based on the generated updated status information. However, O'Brien expressly teaches updating users based on the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating users based on the generated updated status information disclosed by O'Brien because such system would promote optimal schedule.

Claim 12:

As to claim 12 (Currently Amended), it recites a storage medium storing a program for controlling a server device that is capable of communicating with user terminal devices, the program comprising:

a recognition step of recognizing a presence or absence of the users at the user terminal devices; (See col. 6, lines 6-7; col. 10, lines 35-48.)

a search step of searching schedule information of registered users; (See col. 5, lines 56-57; line 49 – calendar event is schedule information.)

a generation step of generating updated status information in accordance with both the presence or absence of the users and the searched schedule information; and(See col. 5, lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.)

an update step of automatically updating the present status information of the users based on the generated updated status information.

Gilhuly does not specifically address updating users based on the generated updated status information. However, O'Brien expressly teaches updating users based on the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating users based on the generated updated status information disclosed by O'Brien because such system would promote optimal schedule.

Claim 13:

As to claim 13(New) it recites a system according to claim 1, further comprising:

a transmission unit that transmits the updated present status information of the users to the user terminal devices. (See col. 5, lines 57-60.)

Gilhuly does not specifically address updating users based on the generated updated status information. However, O'Brien expressly teaches updating users based on the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating

users based on the generated updated status information disclosed by O'Brien because such system would promote optimal schedule.

Claim 14:

As to claim 14 (New) a system according to claim 1, wherein said recognition unit recognizes the presence or absence of the users based on a status of input from an input device connected to the user terminal devices or an image taken by an image device connected to the user terminal. (See col. 6, lines 6-7; col. 10, lines 35-48.)

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly.

5. **THIS ACTION IS MADE FINAL.**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Coffy whose telephone number is (571) 272-3997. The examiner can normally be reached on 8:30 - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Emmanuel Coffy, Esq.
Patent Examiner
Art Unit 2157

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Jan 13, 2005

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